



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q64663

Yuuichi FUKUSHIGE, et al.

Appln. No.: 09/894,827

Group Art Unit: 1752

Confirmation No.: 3721

Examiner: John S. Y. Chu

Filed: June 29, 2001

For: PHOTOPOLYMERIZABLE COMPOSITION AND RECORDING MATERIAL AND
RECORDING PROCESS USING THE SAME

SUBMISSION OF TERMINAL DISCLAIMER

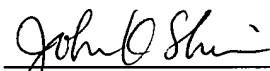
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

SUGHRUE MION, PLLC
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John K. Shin
Registration No. 48,409

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: August 20, 2004

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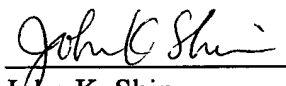
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Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, FUJI PHOTO FILM CO., LTD., represents that the petitioner, FUJI PHOTO FILM CO., LTD. is the owner of the entire right, title and interest of U.S. Application No. 09/521,616, filed on March 8, 2000 for BORATE COMPOUND, AND PHOTOPOLYMERIZABLE COMPOUND AND RECORDING MATERIAL WHICH CONTAIN THE SAME by virtue of an Assignment from all of the inventors thereof executed on December 21, 1999, recorded on March 8, 2000 at Reel 010662, Frame 0344, as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/894,827 by virtue of an Assignment from all of the inventors thereof executed on July 4, 2001, recorded on September 28, 2001, at Reel 012213, Frame 0706.

Terminal Disclaimer

U.S. Patent Application Ser. No.: 09/894,827

Q64663

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/894,827 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application No. 09/521,616, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/894,827 shall be enforceable only for and during such period that the legal title to any patent issuing from U.S. Application No. 09/521,616 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/894,827, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/894,827 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/894,827 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application No. 09/521,616 in the event that any patent issuing from U.S. Application No. 09/521,616 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Terminal Disclaimer

U.S. Patent Application Ser. No.: 09/894,827

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The undersigned is an attorney of record.

Respectfully submitted,

Date: August 20, 2004

Bruce E. Kramer

Bruce E. Kramer

Title: Attorney for Petitioner